

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHNNIE DAVIS,

Plaintiff,

v.

CITY AND COUNTY OF SAN FRANCISCO,  
et al.,

Defendants.

No. C-05-1341 MMC

**ORDER TO SHOW CAUSE WHY CASE  
SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE; REMOVING  
CASE FROM EARLY NEUTRAL  
EVALUATION PROGRAM**

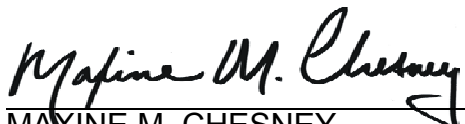
Before the Court is the defendants' administrative motion for an order to show cause why the instant case should not be dismissed for failure to prosecute. For good cause shown, the motion is hereby GRANTED.

Plaintiff is hereby ORDERED TO SHOW CAUSE in writing, no later than January 6, 2006, why the instant action should not be dismissed for failure to prosecute. Defendants may file an opposition to plaintiff's response no later than January 13, 2006; plaintiff may file a reply no later than January 20, 2006. The Court will rule on the matter without oral argument unless, after reviewing the parties' submissions, the Court finds that a hearing would assist the Court.

In light of the instant order to show cause, the case is hereby REMOVED from the Early Neutral Evaluation program.

**IT IS SO ORDERED.**

Dated: December 13, 2005

  
MAXINE M. CHESNEY  
United States District Judge